



Paper No. 9

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MAIL

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DIRECTOR OFFICE
TECHNOLOGY CENTER 2100

In re Application of: John McLain, Jr. et al.)
Application No.: 08/987,849)
Filed: December 9, 1997)
For: SYSTEM AND METHOD FOR)
MANAGING COMPUTER SYSTEM)
RESOURCES USING COMMAND)
CONTROL VECTORS)
 DECISION ON PETITION UNDER 37
 C.F.R. § 1.181 TO WITHDRAW
 HOLDING OF ABANDONMENT

This is a decision on the petition filed February 4, 2002, as supplemented by the paper filed May 2, 2002, under 37 CFR § 1.181 to a withdraw the holding of abandonment of the above-identified application.

This application was held abandoned for failure to respond in a timely manner to the Office Action (restriction requirement) mailed March 27, 2001 (Paper No. 5). A Notice of Abandonment was mailed December 19, 2001 (Paper No. 6).

To prove the nonreceipt of the Office action, the petitioners were to provide the following:

- 1) a statement from practitioner that the Office action was not received by the practitioner,
- 2) a statement from practitioner that the file jacket and docket records were searched
- 3) a copy of the docket record where the non-received Office action would have been entered had it been received and docketed,
- 4) a reference to the docket record in the practitioner's statement.

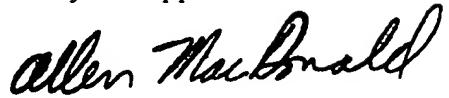
Petitioners have provided all the necessary statements and submissions for this application as evidence that the Office action mailed March 27, 2001 was not received at the address of record and to overcome the presumption of receipt.

The petition is **GRANTED**. The Notice of Abandonment is withdrawn.

The office regrets any inconvenience caused by the mailing of the Notice of Abandonment.

The application file is being forwarded to the Technology Center support staff for remailing of the restriction requirement. The file will then be forwarded to the Technology Center central files to await

response by the Applicant.



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